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PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND ONE HUNDRED AND SIXTIETH MEETING

Held at Headquarters, New York,
on Friday, 27 July 1979, at 10.30 a.m.

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| <u>President:</u> | Mr. RICHARD | (United Kingdom of Great Britain and Northern Ireland) |
| <u>Members:</u> | Bangladesh | Mr. KAISER |
| | Bolivia | Mr. PALACIOS DE VIZZIO |
| | China | Mr. CHOU MAN |
| | Czechoslovakia | Mr. HRŮKA |
| | France | Mr. HUSSON |
| | Gabon | Mr. BIBA |
| | Jamaica | Mr. NEIL |
| | Kuwait | Mr. BISHARA |
| | Nigeria | Mr. ADEYEMI |
| | Norway | Mr. AASEN |
| | Portugal | Mr. ANDRESEN |
| | Union of Soviet Socialist Republics | Mr. KHARLAMOV |
| | United States of America | Mr. YOUNG |
| | Zambia | Mr. MUTUKWA |

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The meeting was called to order at 11.15 a.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE QUESTION OF THE EXERCISE BY THE PALESTINIAN PEOPLE OF ITS INALIENABLE RIGHTS:
LETTERS DATED 13 MARCH 1979 AND 27 JUNE 1979 FROM THE CHAIRMAN OF THE COMMITTEE
ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL (S/13164 and S/13418)

The PRESIDENT: In accordance with the decisions taken at the 2155th meeting, I invite the representatives of Egypt, Israel, Jordan, Sri Lanka, the Syrian Arab Republic and Tunisia to take the places reserved for them at the side of the Council chamber; I invite the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to take a place at the Council table; I invite the representative of the Palestinian Liberation Organization to take a place at the Council table.

At the invitation of the President, Mr. Abdel Meguid (Egypt), Mr. Blum (Israel), Mr. Nuseibeh (Jordan), Mr. Fernando (Sri Lanka), Mr. El-Choufi (Syrian Arab Republic) and Mr. Mestiri (Tunisia) took the places reserved for them at the side of the Council chamber; Mr. Fall (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, took a place at the Council table; Mr. Terzi (Palestine Liberation Organization) took a place at the Council table.

The PRESIDENT: I wish to inform members of the Council that I have received a letter from the representative of the German Democratic Republic in which he requests that he be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Zachmann (German Democratic Republic), took the place reserved for him at the side of the Council chamber.

The PRESIDENT: I should also like to inform members of the Security Council that I have received a letter dated 26 July 1979 from the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which reads as follows:

"I have the honour to request that I be allowed to participate in the Security Council's consideration of the item 'The question of the exercise by the Palestinian people of its inalienable rights' in accordance with the provisions of rule 39 of the Council's provisional rules of procedure, in my capacity as Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People."

On previous occasions the Security Council has extended invitations to representatives of other United Nations bodies in connexion with the consideration of matters on its agenda. In accordance with past practice in this matter, I propose that the Council extend an invitation to the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, pursuant to rule 39 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

The Security Council will now resume its consideration of the item on the agenda.

The first speaker inscribed is the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Ambassador Gauci. I invite him to take a place at the Council table and to make his statement.

Mr. GAUCI (Malta), Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People: Mr. President, I am pleased to have this opportunity to thank you for the sterling service to the causes of the United Nations which you have so admirably rendered during your tenure of office here. I respectfully wish you further success in your future.

The situation in the Middle East is approaching a critical phase. The choice lies between a course on which division and confrontation run the risk of becoming more implacable, or else one on which the diligent search for a comprehensive solution can be given new impetus. I believe the international community would favour the latter choice, and in this the Security Council naturally has an overriding role to play. This debate is therefore very timely. It should be utilized to promote change in a positive direction.

Most of us can no longer doubt that, at the heart of the Middle East controversy, squarely lies the Palestine question. Slowly but surely, over the last few years, a quasi-unanimous international consensus has laboriously been devised on the essential parameters of an equitable solution which would take into account the rights and the preoccupations of all States and peoples in the region. These parameters have often been cited in our debates. But they have not yet been fully incorporated in a unanimous Security Council pronouncement.

The studies, the reports and the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People are the fruit of that emergent consensus. Three years ago, unhurriedly and objectively, free from the pressure of outside events, the Committee reviewed the problem of Palestine since its beginnings and came up with a balanced prescription for peace in the recommendations it presented; these gave an essential role to the United Nations - particularly to the Security Council - in promoting and overseeing each phase of the implementation of the proposed solution.

The details of the recommendations are well known. Ambassador Fall of Senegal, in his statement as Chairman of the Committee before the Council on 29 June, gave a comprehensive account of the Committee's work and its

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of the Palestinian People)

perspectives. I only wish to recall that at no time were the recommendations presented on a take-it-or-leave-it basis. On the contrary, both here and in the General Assembly, I specifically asked on behalf of the Committee for very careful consideration before decisions were taken, and I solicited constructive criticism, which we undertook in advance to take into account so that the resultant outcome would be fully consonant with international opinion and concern.

No specific suggestions on the recommendations were made either by the Security Council or by the General Assembly. The General Assembly has, in fact, decided on the matter and has endorsed the Committee's recommendations. The Security Council - although the general trend of the debate has been positive - has not yet taken a decision. This therefore represents a potential asset still at hand. In the meantime, the Committee has retained its recommendations unchanged, and the General Assembly has reaffirmed them on three separate occasions, on the last two with an increased favourable vote. Additional studies have since then also been compiled and made available so that there should be a better understanding of this deep-rooted problem.

Consequently the Committee hopes this time that a positive decision will be forthcoming from the Security Council. We hope that on this occasion the Council will not be once again merely the forum for hearing conflicting historical details, quotations from controverted legal opinions, or contradictory newspaper articles, and heated accusations and counter-accusations. What is needed is a calm debate on the fundamental issues involved and, subsequently, an attempt to reconcile divergent points of view, to widen mutual understanding and to take common action. Those who in the past have repeatedly called for this kind of debate should be the first to set a positive example.

I propose to do so today, as I have done in the past.

Many countries have already made positive comments and endorsed the recommendations of the Committee. To them I wish to renew our keen appreciation of their support. The severest critics of the Palestine Committee have concentrated on certain points and these too we feel warrant serious consideration.

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of the Palestinian People)

It has been said, for instance, that the resolution setting up the Committee was specifically designed to bypass Security Council resolution 242 (1967).

I think that the fact that the Committee has referred its recommendations to the Security Council and throughout its report has laid stress on the paramount role of the Council should conclusively prove that there was certainly no intention of bypassing either the Council or any of its resolutions.

Neither did the Committee at any time ignore the importance of Security Council resolution 242 (1967). We only put that resolution in the proper perspective. It was adopted in response to a tragic episode at a particular time, an episode which nevertheless represented but one link in the deadly chain of events which have afflicted the Middle East over the past three decades. These events continue to pose a threat to peace up to the present day and have caused profound changes in the area; each has elicited a timely response from the United Nations. All this was taken into account by the Committee. Manifestly, therefore, the Palestine Committee has not attempted to bypass either the Security Council or its resolution 242 (1967) - or any other resolution for that matter.

The Committee's severest detractors have also asserted that the Committee from its inception has been a pliant tool in the hands of the Palestine Liberation Organization (PLO). May I recall that the Committee is composed of 23 Member States coming from all geographical regions. It works by consensus. It is and will remain open to the opinions of all Members that wish to state their views. It has repeatedly gone out of its way to hear all sectors of opinion. It has conscientiously analysed the stated opinions of all interested parties.

Nevertheless, the members of the Committee felt the obvious necessity - and it is in our opinion futile for others to deny this - to listen in all fairness with particular attention to the point of view of the people most directly concerned, the Palestinians, officially represented here at the

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of the Palestinian People)

United Nations and elsewhere by the PLO. The position maintained by the PLO has been re-echoed in many letters and statements received and heard by the Committee from many influential persons in the occupied territories. All these letters and statements have been published.

The recommendations, however, are and remain the collective responsibility of the Committee, and they owe their acceptance only to the fact that they are legally and equitably founded, that they advance the prospects of peace, and that they promote the attainment of universally recognized rights.

It is also contended that the Committee's recommendations constitute "...for all practical purposes a thinly disguised formula for the dismantlement of the State of Israel in stages".

That is an unfortunate example of extreme rhetoric. The truth is the exact opposite. Despite the Committee's restricted terms of reference, its report underlines the right of all States in the area to live in peace within secure and recognized boundaries.

The Committee, and the General Assembly on the basis of the Committee's recommendations, have in fact strongly reaffirmed the political validity of previous General Assembly decisions. What was approved by less than 40 countries in 1947 has been strongly reaffirmed by the present greatly enlarged membership, on the latest occasion in 1978.

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The significance of this endorsement should not be overlooked or underestimated. On the contrary, it should be stressed that the Committee's recommendations enjoy the support of most of the parties directly concerned in the Middle East conflict. More significantly, the Committee's recommendations were also endorsed by the Palestine National Council in 1977 as a "positive and constructive step towards the establishment of peace." The Committee has therefore incorporated in its findings the two key elements in the Middle East equation, elements that were formerly missing and without which a balanced solution would not be feasible.

It has also been considered "sinister" that the word "negotiations" is not mentioned in the recommendations. This was in no way premeditated or deliberate, but in any case, the assertion is unfounded. The Committee did not enter into such minute details, but it did lay stress on the primary responsibility of the parties on the spot - I quote from paragraph 56 of the Committee's first report - to "show statesmanship and a genuine willingness to negotiate" - I repeat, "negotiate" - "necessary prerequisites for achieving a comprehensive political settlement to the Middle East problem." (A/31/35, para. 56) Furthermore, the Committee recognized that its recommendations, "in their implementation, would constitute a contribution within the framework of the United Nations and would complement efforts towards the establishment of a just and lasting peace in the region." (Ibid., para. 58)

It has also been said, finally, that the Committee's mandate was circumscribed, and that it did not cater to the rights of other people in the area. That is quite true, but the Committee has never claimed otherwise. The reason for the limited mandate inexorably arises from the situation in the area. On this question, after all, it is only the Palestinian people who have not so far attained their inalienable rights, and it is precisely that situation that the Committee and, through it, the United Nations, wishes to remedy, to the extent possible, exclusively by peaceful means and in execution of its own decisions.

(Mr. Gauci, Rapporteur, Committee
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Rights of the Palestinian People)

Those, I believe, were the major criticisms directed against the Committee's recommendations. We considered all of them to be completely unfounded and, hence, the recommendations remained unchanged. The truth of the matter is that the recommendations, despite allegations to the contrary, constitute the only prescription that has so far been advanced for a comprehensive Middle East settlement, one that already enjoys widespread support in the international community. The implementation of the recommendations is backed by the resources of the United Nations, and creates no prejudice to the security of any State in the area.

The Committee consequently feels that its recommendations should be taken into account in all negotiations and that they should be kept at the forefront of world attention. They confirm principles which cannot be diluted in their observance, if justice is to prevail in a matter in which the United Nations has a clear responsibility and where the prospects of peace and the promotion of human rights are concerned.

The time has now come for all of us to ask: should not all nations help in promoting a peaceful, just and comprehensive solution?

The discussions at the United Nations, the events of the past and the pronouncements of the present provide cumulative evidence that one country in the Middle East is not providing the optimum background for promoting the co-operation of the Palestinian people, which is the essential element without which peace in the Middle East would be unattainable. If present policies continue, they will prolong the bitter hostility until the escalation of violence introduces another imponderable element in a cycle of desperation, with repercussions that are too ominous to contemplate. The recent report of the Commission appointed by the Security Council, with which we were pleased to co-operate, has partially confirmed our past findings and our fears for the future.

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on the Exercise of the Inalienable
Rights of the Palestinian People)

The Security Council can act to reverse this trend. We can seize this opportunity to begin writing a new chapter. We can respond to the plea of a dispossessed people and help them, peacefully, to regain the national dignity and individual peace of mind to which it was recognized they were entitled more than a generation ago. They have sought the help of this Organization. Surely, that in itself constitutes a guarantee of peaceful intent which can be safeguarded by appropriate measures to be taken by this Organization. That was the conviction behind the recommendations of the Palestine Committee and therein lies the role of the Security Council.

THE PRESIDENT: I thank the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People for the kind words he addressed to me.

The next speaker is the representative of the Palestine Liberation Organization (PLO), on whom I now call.

Mr. TERZI (Palestine Liberation Organization (PLO)): In my statement today, I shall address myself to the core of the matter, the inalienable rights of my people. I shall not address myself to derivatives or ramifications; neither shall I refer to the violations of our rights. Last week, the Council dealt with a single aspect of such violations of our rights. The agenda before us clearly states that the item to be considered is the question of the exercise by the Palestinian people of its inalienable rights.

What the Council has to consider is the request by the General Assembly to examine the recommendations contained in the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, with a view to taking the necessary measures to implement the recommendations of the Committee in order to achieve early progress towards a solution of the problem of Palestine and the establishment of a just and lasting peace in the Middle East.

(Mr. Terzi, PLO)

As you know, the inalienable rights of the Palestinian people were recognized in General Assembly resolution 3236 (XXIX). Addressing itself to the right of return, the General Assembly, in that resolution,

"reaffirmed the inalienable right of the Palestinians to return to their homes and property from which they have been displaced and uprooted, and calls for their return." (General Assembly resolution 3236 (XXIX))

Last week, on 20 July 1979, the Security Council, in its resolution 452 (1979) accepted the recommendations contained in the report of the Commission established to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem. The first among these recommendations begins with the words

"On the basis of the conclusions reached, the Commission would like, therefore, to recommend that the Security Council, bearing in mind the inalienable right of the Palestinians to return to their homeland ..."

(S/13450, para. 239)

Thus, we note with satisfaction that both the General Assembly and the Security Council have recognized the inalienable right of the Palestinians to return to their homeland. In fulfilment of this particular inalienable right, the Security Council is now being asked to call for the return of the Palestinians to their homeland, and to endorse a programme or plan of implementation more or less similar to the programme of implementation recommended by the Committee on the Exercise of the Inalienable Rights of the Palestinian People and endorsed by the General Assembly.

It seems rather ironic that the Security Council should be called upon or appealed to in the year 1979 to recognize and endorse the implementation of fundamental rights. On 21 June 1946, 33 years ago and thus before the Palestinians were expelled from their homes and property and became displaced persons, the Economic and Social Council included the following in the preamble to the charter of the international refugee organization:

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(Mr. Terzi, FIO)

"as regards displaced persons, the main task to be performed is to encourage and assist in every way possible their early return to their country of origin."

The Palestinians need no encouragement. This is exactly what they have been trying to do by every means. All they need now is to be permitted and enabled to return. Or are the Palestinians different, and is what was designed by the international community for others not applicable to the Palestinians?

(Mr. Terzi, PLO)

The Universal Declaration of Human Rights, in article 13, reads.

"Everyone has the right to leave any country, including his own, and to return to his country".

In this particular case, the Palestinian did not exercise the right to leave his country - Palestine; he simply was forced out. So this Council is called upon to assist the Palestinian to exercise his right to return to his country - Palestine.

This right is further supported by article 12 of the International Covenant on Civil and Political Rights, paragraph 4 of which reads:

"No one shall be arbitrarily deprived of the right to enter his own country".

In May 1948 the General Assembly empowered a United Nations Mediator in Palestine - to be chosen by the five permanent members of this Council - to exercise a number of functions in Palestine. Count Folke Bernadotte reported that:

"As a result of the hostilities in Palestine, an alarming number of persons have been displaced from their homes. Arabs form the vast majority of the refugees in Palestine and the neighbouring countries. The future of these Arab refugees is one of the questions under dispute, the solution of which presents very great difficulties.

...

"... The majority of these refugees have come from territory which, under the Assembly resolution of 29 November [1947], was to be included in the Jewish State. The exodus of Palestinian Arabs resulted from panic created by fighting in their communities, by rumours concerning real or alleged acts of terrorism, or expulsion. ..." (A/648, part 1, chap. V, paras. 2 and 6)

To refer to only one such act of terrorism, we shall quote terrorist Menachem Begin - currently the Prime Minister of Israel and winner of a Nobel Peace Prize - who, recalling the massacre of 254 unarmed men, women and children at Deir Yassin on 10 April 1948, gloated that Zionists gangs

(Mr. Terzi, PLO)

"proceeded to advance through Haifa like a knife through butter; the Arabs began to flee in panic, shouting: 'Deir Yassin, Deir Yassin'.

...
"The massacre was not only justified, but there would not have been a State of Israel without the victory at Deir Yassin."

I now quote again from the report of Count Bernadotte -- who, incidentally, was slain by the racist Zionists:

"The immediate solution of the problem appeared to be the return to their homes of those refugees who desired to return. Even though in many localities their homes had been destroyed, and their furniture and assets dispersed, it was obvious that a solution for their difficulties could be more readily found there" -

that is, in their homes -

"than elsewhere". (A/648, part 3, chap. 2, para. 7)

That is still true, and despite the lapse of more than 30 years my people are determined to return. Return remains not only the immediate but the sole solution to the problem of the dispersal of my people.

It is intolerable that Israel and international zionism should continue to agitate throughout the world for recognition of the "right of all Jewish citizens of all other countries to emigrate from their respective lands and to immigrate to Israel, to facilitate that mass emigration from other countries organizationally and financially, and to facilitate the mass immigration to Israel through the so-called Law of Return - even though those Jews had never before seen Palestine or set foot on its soil - while at the same time Israel and world zionism continue to deny the right of the displaced Palestinians to return to their country, in principle, and continue to prevent the exercise of that right, in practice.

The return of the Palestinians to their homes and property from which they have been displaced and uprooted is a prerequisite to peace. The dispossession and homelessness of the Palestinians is indeed the root problem.

(Mr. Terzi PLO)

By the right of return we mean that Palestinians should return to their homes and property - to their homeland - by right and not on sufferance.

By the right of return we mean that the right to choose between returning and not returning is a right vested in each Palestinian, and is not subject to curtailment by any authority.

The racist Zionist forces of occupation and their supporters have marshalled a number of arguments against the exercise by Palestinians of their inalienable right to return. We shall examine the validity of these objections.

The opponents of repatriation say, "The clock cannot be turned back". Those who have not been familiar with the development of the question of Palestine since its inception may think that this objection is being raised now, 31 years after the displacement of Palestinians, in view of the practical difficulties of reversing the changes which have occurred in the course of the past three decades. But anyone who has followed the evolution of the problem from the beginning knows that Israelis and Zionists raised the same objection, in the same words, immediately after the exodus of the Palestinians and before any basic changes had actually occurred in Palestine.

Thus, on 28 July 1949, the Israeli Government, in an official memorandum submitted to the Technical Committee on Refugees, set up by the Palestine Conciliation Commission, stated: "The clock cannot be put back" (A/1267/Rev.1, appendix 4, para. 36).

Even a year earlier, the late Moshe Shertok - later Sharrett - then Minister of Foreign Affairs of the Provisional Government of Israel, had written to the United Nations Mediator on Palestine, in a letter dated 1 August 1948:

"The Palestinian Arab exodus of 1948 is one of those cataclysmic phenomena which, according to the experience of other countries, change the course of history". (A/640, part 1, annex II, para. 9)

(Mr. Terzi, PLO)

Thus the argument of the alleged irreversibility of the demographic changes which have overtaken Palestine is not a statement in good faith describing conditions which are judged to be impossible to alter; it is, rather, a reflection of a subjective opposition to the alteration of the new, contrived situation - a determination to prevent the restoration of rightful conditions. It is a confession of an unwillingness to envisage or effect restoration, and not an objective assessment of an inability to do so.

If the return of Palestinians to their homes and property and homeland is to be declared impossible by virtue of the passage of time since their dislodgement - a few months, a year, or 31 years later - how much more persuasive should that same argument have been in 1947-1948 against the attempt to restore Jewish presence in Palestine 1,900 years after the expulsion of the Hebrews from Palestine? In 1947-1948 the United Nations was not daunted by the prospect of the erasure of 1,900 years of history. Should it, in 1979, be daunted by the prospect of the correction of 31 years of injustice?

The United Nations declared that Palestinians should be permitted to return to their homes and homeland immediately after their displacement, before any basic changes had occurred in their homeland; it kept repeating that declaration year in and year out, while changes were being illegally created, in defiance of international law and the will of the international community. If it were now to accept the argument that those changes - effected in defiance of justice and the law - were sufficient and valid reason for nullifying the right of Palestinians to return and obstructing their exercise of that right, the United Nations would in effect be giving the green light to any potential law breaker. "Defy the will of the international community obstinately enough, long enough, and then come and declare that the clock cannot be turned back; and you will get away with it": that will be the message signalled by the United Nations to any potential aggressor coveting someone else's homeland or territory.

(Mr. Tarzi, PLO)

If the Israelis and their supporters ascribe finality and irreversibility to the Palestinian exodus and oppose the return of Palestinians by peaceful and orderly means on the basis of the argument that their exodus was "one of those cataclysmic phenomena which, according to the experience of other countries, change the course of history", as Sharrett argued, then they are paving the way for, and making inevitable, the determination of Palestinians and other Arabs to restore the rights of Palestinians by other than peaceful means, by creating new cataclysmic phenomena by the same methods by which the Palestinian exodus of 1948 was brought about, and that is something we hope to avoid.

Another Israeli-Zionist argument against the return of the Palestinians runs like this: "There is no room in Palestine, and less room in those parts of Palestine occupied by Israel before 1967, for all the displaced Palestinians and the Jews now resident there."

Throughout the years of the British Mandate, however, it was the Zionists who were arguing that the absorptive capacity of Palestine was not static but elastic and flexible, and that modern technology and organizational techniques could be relied upon to expand considerably the limited absorptive capacity of the land.

Moreover, even now, the same Israeli and Zionist spokesmen who argue that Palestine cannot accommodate both the displaced Palestinians and the Jews now in Israel are actively clamouring for the immigration of millions of Jews from all over the world into the country. Surely they must assume that there is room for all those additional millions of Jews, or they would not urge them to uproot themselves from their respective countries and go to Israel. And if there is room for millions of Soviet, American, West European and other Jews who have never before been to Palestine, should not that room be assigned first, as a matter of rightful priority, to the indigenous Palestinians who are now refugees outside Palestine?

There is a third quasi-moral objection to the return of the Palestinians that is voiced by the Israelis: "One wrong cannot right another. You cannot correct one injustice by inflicting another injustice. The plight of a displaced Palestinian cannot be remedied by displacing an Israeli."

Well, nobody is asking for the displacement of the Israelis. We are just struggling for the return of the Palestinians.

(Mr. Terzi, PLO)

In the aftermath of Hitler's rule, Zionism played upon the sympathies of a rightly outraged world by arguing that the gross injustice done by Hitler to the Jews should be corrected by giving Jews a homeland of their own. Thoughtful observers then protested that an injustice against a Jew by a Nazi German could not be righted by inflicting an injustice on a third party, a Palestinian Arab. The Zionists are now borrowing the same argument, but with a big change. They say, "An injustice against a Palestinian Arab by an Israeli cannot be righted by an injustice against that same Israeli." I think the irony of this abuse of the argument cannot escape any fair observer.

The Israeli who lives in the home of a Palestinian, a home from which the rightful owner fled or was forcibly evicted, and to which he is not permitted to return, is a usurper, not an innocent third party. His transfer to another place in Palestine in order to permit the rightful owner to return may mean inconvenience, but it is not an injustice. For what the Palestinians demand is their own return, and not the departure from the country of the alien Jews who have under the influence of Zionism immigrated into the country.

And one important point must be borne in mind. The Israeli who now lives on land rightfully and legally belonging to the displaced Palestinian Arab is not recognized, even by the Government of Israel, as the owner of that land. He is only a tenant, leasing the land from the Israeli Government or one of its agencies, such as the Custodian of Absentee Property, or from the Jewish National Fund, to which some of that land was transferred by the Israeli Government. Even the dubious title to the land which the Israeli Government claims it can bestow on him, it has withheld from him.

A book officially published by the Jewish National Fund, the Keren Kayemeth Leisrael, in Jerusalem in 1949 under the title Jewish Villages in Israel, admits that the land in question is at law the property of the Palestinian Arabs. As I read the following passage from that book, it should be kept in mind that the total area occupied by Israel in 1949 was more than 8,000 square miles - that is, 20 million dunams:

"Of the entire area of the State of Israel only about 300,000-400,000 dunams, apart from the desolate rocky area of the southern Negev, at present quite unfit for cultivation," - this was written in 1949 - "are State domain which the Israel Government took over from the Mandatory

(Mr. Terzi, PLO)

régime. The Jewish National Front and private Jewish owners possess under 2 million dunams. Almost all the rest belongs at law to Arab owners, many of whom have left the country. The fate of these Arabs will be settled when the terms of the peace treaties between Israel and her Arab neighbours are finally drawn up."

This was written in 1949; we are still hearing the same record now.

The juridical situation of title to property in Israel is complex, but it may be simplified by referring to three institutions which have taken control of all the property of the displaced Palestinians. The first is the State itself, which has taken title to "State domain", the collective property of the entire people. The second is the Jewish National Fund, which, as the foregoing statement shows, has acquired part of the land of the displaced Palestinians, and which is prohibited by its charter from selling any of the land it acquires. And the third is the Custodian of Absentee Property, established by the Absentees' Property Law of 1950. Under section 4 of that law, all absentees' property is vested in the Custodian. The Custodian may transfer property vested in him to the Development Authority established by the Development Authority Law, and so on.

Next comes the quasi-legal argument concerning the right of the Palestinians to return, which runs something like this: "The Palestinian Arabs were not forcibly displaced; they fled of their own accord or at the behest of their leaders. Therefore they have no right to return."

This argument can only be an illustration of a grotesque syllogism. This argument can be stated in the form of a syllogism as follows. The major premise, which is explicit, is that the Palestinian Arabs left their homes freely and voluntarily. The minor premise, which is implicit, is that whoever leaves his home loses his right to it. The conclusion is that therefore the Palestinian Arabs have forfeited their right to return.

The explicit major premise is a purported statement of fact that is patently false. The implicit minor premise is a purported statement of moral law, which is equally false. And the conclusion derived from those two false premises is no less false than the premises themselves.

Now, the explicit major premise is known to be false. So much has been written about why and how the Palestinians were displaced that there is no need for me here to go into it all over again. Suffice it to quote once again the report of the late Count Folke Bernadotte. He wrote:

(Ik. Tarzi, PLO)

"The exodus of Palestinian Arabs resulted from panic created by fighting in their communities, by rumours concerning real or alleged acts of terrorism, or expulsion. ... There have been numerous reports from reliable sources of large-scale looting, pillaging and plundering, and of instances of destruction of villages without apparent military necessity."

(A/648, p. 14)

(Mr. Terzi, PLO)

But let us assume, for the sake of argument, that the Palestinians fled their homes of their own accord or at the behest of their leaders during warfare. Would that make the implicit minor premise true? Would it deprive them of their right to return to their homes when the immediate cause of their flight had been removed? Would a man who flees his home because of fire, and in pursuit of self-preservation, lose his right to return to it when the fire has been put out?

But the real reason for Zionist opposition to the return of the displaced Palestinians is that that return would alter the demographic balance in Israel to such an extent that it would destroy its Zionist, exclusivist character. This, of course, is true. But the preservation of the Zionist, exclusivist character of Israel is neither an international responsibility nor a moral-juridical-political fact that outweighs in importance the restoration of the inalienable rights of the Palestinian people.

The Security Council in discharging its duties as the organ on which the Members of the United Nations conferred the primary responsibility for the maintenance of international peace and security, this Council, is empowered to redress the injustice. It is legally committed and has the power to restore to the Palestinians their rights, including the right to return to their homes and property from which they were uprooted. The Council is in duty bound to adopt a programme of implementation and effectively to implement that programme. Now, once this Council decides, the Members of the United Nations will carry out its decisions. After all, this is the provision in Article 25 of the Charter. There are also other provisions in the Charter, and the provisions of Chapter VII and others grant this Council specific powers which enable the Council to discharge its duties. We believe it is high time that the Council invoked such powers and the Member State called Israel was compelled to accept and carry out the Council's decisions. Failure to do so would lead to the application of the provisions of the Charter.

(Mr. Terzi, PLO)

In resolution 3236 (XXIX), the General Assembly emphasized that:
"full respect for and the realization of [the] inalienable rights of the Palestinian people are indispensable for the solution of the question of Palestine". (General Assembly resolution 3236 (XXIX))

The Committee asserted in its recommendations that:

"The question of Palestine is at the heart of the Middle East problem ... and [stressed] its belief that no solution in the Middle East can be envisaged which does not fully take into account the legitimate aspirations of the Palestinian people." (A/32/35, para. 59)

The Committee endorsed

The legitimate and inalienable rights of the Palestinian people to return to their homes and property and to achieve self-determination, national independence and sovereignty". (Ibid., para. 60)

We earlier dealt with the inalienable right of return; now we shall deal with the right to self-determination and national independence and sovereignty. Well, this is nothing new; it is not a new discovery or a new diagnosis. As far back as April 1920 - almost 60 years ago - even before the Mandate over Palestine was allotted to the United Kingdom by the Supreme Council of the Peace Conference, the Palestinian Arabs rioted, and the first reason for the riots, as was reported by the Military Commission of Inquiry, was:

"Arab belief that the Balfour Declaration implied a denial of the right of self-determination and their fear that the establishment of a National Home would mean a great increase in Jewish immigration and would lead to their economic and political subjection to the Jews."

Now, this fear was later confirmed by Lord Curzon, who had succeeded Balfour as Foreign Secretary. In a note to Balfour, Curzon wrote:

"I feel tolerably sure therefore that while Weizmann may say one thing to you, or while you may mean one thing by a National Home, he is out for something quite different. He contemplates a Jewish State, a Jewish Nation, a subordinate population of Arabs etc., ruled by Jews, the Jews in possession of the fat of the land, and directing the administration. He is trying to effect this behind the screen and under the shelter of British trusteeship."

(Mr. Terzi, PLO)

But let us see what Balfour said. Balfour persisted in his support of Zionism. So in a letter to Curzon he wrote:

"In Palestine we do not propose even to go through the form of consulting the wishes of the present inhabitants of the country, though the American Commission has been going through the form of asking what they are. The four Great Powers are committed to Zionism. And Zionism, be it right or wrong, good or bad, is rooted in age-long traditions, in present needs, in future hopes, of far profounder importance than the desires and prejudices of the 700,000 Arabs who now inhabit that ancient land."

The 700,000 in that ancient land were the entire Palestinian people, and that was the seed of discord planted by Balfour in the area. But, of course, Balfour was heralding and defending a new form of colonialism, a colonialism protected and given legitimacy under the heading of "Mandates".

And, now, what happened to the Wilsonian principle of self-determination? An American Commission - the King-Crane Commission - reported:

"If the principle of self-determination is to rule, and so the wishes of Palestine's population are to be decisive as to what is to be done with Palestine, then it is to be remembered that the non-Jewish population of Palestine, nearly nine-tenths of the whole,"

- what a small majority -

"are emphatically against the entire Zionist programme. The tables show that there was no one thing upon which the population of Palestine were more agreed than upon this" - self-determination.

And the American Commission even went as far as proposing a United States Mandate over Palestine after having noted the strong opposition of the Palestinian people to the Balfour policy. But, of course, the United States did not join the League of Nations; it could not take part in that colonial forum. Yes, at that time, the United States had different values. In the 1920s, self-determination was the concern of a President of the United States of America, when values were in direct contrast with the concerns and values of the United States Administration in the 1970s. The right to self-determination is allegedly upheld, but definitely not when it applies to the Palestinian people:

Our struggle for self-determination is on record, as previously noted.

In 1939, the Royal Commission's findings were as follows:

"After examining this and other evidence and studying the course of events in Palestine since the War (1914-1918), we have no doubt as to what were 'the underlying causes of the disturbances'. They were: ... The desire of the Arabs for national independence ...".

The British were aware of this - they were conscious of it - from 1928, and again in 1939, but what did they do about it? Nothing.

I trust that I have made my point clear that our struggle for self-determination and national independence are deep-rooted and date back at least to the 1920s. If anything, our determination to achieve those aims now has become more resolute. Now the General Assembly and the international community agree; there is a consensus that the Palestinian people must be enabled to exercise its inalienable right to self-determination and national independence in its own homeland - Palestine.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People has recommended a programme of implementation endorsed by the General Assembly, and this Council is considering the request of the General Assembly to examine those recommendations with a view to taking the necessary measures to implement those recommendations. In our opinion, an endorsement of those recommendations would be the only reasonable and responsible response.

(Mr. Terzi, PLO)

Before concluding, I should like to clarify some points on which there has been some confusion in people's minds. Some people are under the impression that, in supporting the establishment of Israel in 1947, the United Nations endorsed the Zionist conception of Israel as a "State of Jews" or as an exclusionist Judenstaat or Juden reich, but the United Nations did nothing of the sort, nor did the League of Nations, nor did the Balfour Declaration, nor did any country that extended recognition to Israel as a "normal State". The Zionist conception of Israel is a unilaterally held Israeli conception that has no binding effect upon, and no relevance to, the United Nations, which is both morally and legally committed to the restoration of the inalienable rights of the Palestinian people, including the right of the Palestinians to return to their homes and property and to achieve self-determination, national independence and sovereignty.

Let us look at the record.

In its own "proclamation" of 14 May 1948, Israel invoked three international instruments, namely, the Balfour Declaration, the Mandate of the League of Nations, and the partition recommendation of the United Nations. Whatever may be the true legal value of these international documents - and I shall not dwell on the legal short-comings of all three - it is evident that none of them endorsed the Zionist idea. On the contrary, each of them in effect rejected that idea by setting two conditions, the first safeguarding the rights of the Palestinian Arabs inside the proposed "Jewish State" and the second safeguarding the status of Jews outside it.

Now as far as the Balfour Declaration goes, Britain's announcement that it

"view[s] with favour the establishment in Palestine of a National Home for the Jewish People"

was balanced by the remaining part of the Declaration which stated

"it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of the existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country".

As I have said, the Balfour Declaration was more concerned with civil and religious rights. Since this was colonialism, Mr. Balfour would not talk about the political rights of the people.

The meaning of this clause was authoritatively explained in the White Paper of 1922 - Command Paper No. 1700 - which stated:

"Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used such as that Palestine is to become 'as Jewish as England is English'. His Majesty's Government... have no such aim in view. Nor have they at any time contemplated... the disappearance or the subordination of the Arabic population, language or culture in Palestine".

There was Zionist consent to this interpretation when it was requested, and Weizmann wrote that:

"It was made clear to us that confirmation of the Mandate would be conditional on our acceptance of the policy as interpreted in the White Paper, and my colleagues and I therefore had to accept it, which we did, though not without some qualms".

Now let us see what the League of Nations said. It reproduced the safeguard clause of the Balfour Declaration verbatim and proceeded to add more explicit and more far-reaching guarantees - particularly in articles 2 and 6. These two articles stipulated that the Mandatory Power "shall be responsible", among other things, for "safeguarding the civil and religious rights of all the inhabitants of Palestine" and for "ensuring that the rights and position of their sections of the population are not prejudiced". Let it be remembered that the "position" of the Palestinian Arabs at that time was that of the preponderant majority of the population, the nine tenths, the 90 per cent, the preponderant "non-minority".

How does the United Nations partition recommendation deal with this issue? Far from endorsing the Zionist idea of an exclusivist Judenstaat, or "State of Jews", the Partition Plan for Palestine recommended by the General Assembly on 29 November 1947 envisaged a "Jewish State" whose population then consisted of 499,020 Jews and 509,780 Arabs. This can be found in document A/AC.14/32, para. 59. The General Assembly recommended that

"in the appraisal of the Palestine question, it be accepted as incontrovertible that any solution for Palestine cannot be considered as a solution of the Jewish problem in general".

(Mr. Terzi. PLO)

The recommendation stipulated that, before independence, the provisional government of the proposed "Jewish State" should make a declaration to the United Nations containing specific and precise guarantees of the rights of the Palestinian Arab population of the territory - which were spelt out in great detail in chapter 2. The requested declaration also contained a general provision that stated:

"The stipulations contained in the declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them". (General Assembly resolution 181 (II))

All this is contained in part I, section C, of the Partition Plan recommended by the General Assembly - which Israel invokes as the legal foundation for its statehood.

This section of the Partition Plan concludes with chapter 4, which declares:

"The provisions of chapters 1 and 2 of the declaration shall be under the guarantee of the United Nations, and no modifications shall be made in them without the assent of the General Assembly of the United Nations".

(Ibid.)

So it can be seen from the foregoing analysis that the following conclusions can be derived: the international community, including the United Nations, has never given its consent to the Zionist concept of Israel; on the contrary, the United Nations, in its partition recommendation, like the League of Nations before it, prohibited the actions which led Israel to approximate its own unilateral Zionist conception of itself; the United Nations is under no obligation to protect or safeguard the Zionist character of Israel, particularly in its demographic aspect; on the contrary, the United Nations is a guarantor of the rights whose denial was a prerequisite of the Zionisation of Israel; and the United Nations is under an obligation to the Palestinian Arabs to restore their rights and to undo the actions of Israel which led to the denial of those rights.

Finally, I should like to recall here what Chairman Arafat said when he addressed the twenty-ninth session of the United Nations General Assembly on 13 November 1974:

(Mr. Terzi, PLO)

"Why therefore should I not dream and hope? For is not revolution the making real of dreams and hopes? So let us work together that my dream may be fulfilled, that I may return with my people out of exile, there in Palestine to live with this Jewish freedom fighter and his partners, with this Arab priest and his brothers, in one democratic State where Christian, Jew and Moslem live in justice, equality and fraternity...

"Is this not a noble dream worthy of my struggle alongside all lovers of freedom everywhere? For the most admirable dimension of this dream is that it is Palestinian, a dream from out of the land of peace, the land of martyrdom and heroism...

"Let us remember that the Jews of Europe and the United States have been known to lead the struggles for secularism and the separation of Church and State. They have also been known to fight against discrimination on religious grounds. How can they refuse this humane paradigm for the Holy Land? How then can they continue to support the most fanatic, discriminatory and closed of nations in its policy?

"...

"In my formal capacity as Chairman of the Palestine Liberation Organization, I announce here that we do not wish one drop of either Arab or Jewish blood to be shed; neither do we delight in the continuation of killing, which would end once a just peace, based on our people's rights, hopes and aspirations had been finally established.

"In my formal capacity as Chairman of the Palestine Liberation Organization and leader of the Palestinian revolution, I appeal to you to accompany our people in its struggle to attain its right to self-determination. This right is consecrated in the United Nations Charter and has been repeatedly confirmed... by this august body... I appeal to you, further, to aid our people's return to its homeland from an involuntary exile imposed upon it by force of arms, by tyranny, by oppression, so that we may regain our property, our land, and thereafter live in our national homeland, free and sovereign, enjoying all the privileges of nationhood. Only then can we pour all our resources into the mainstream of human civilization. Only then can Palestinian creativity be concentrated in the service of humanity. Only then will our Jerusalem resume its historic role as a peaceful shrine for all religions.

"I appeal to you to enable our people to establish national independent sovereignty over its own land". (A/PV.2282, pp. 46-51)

The PRESIDENT: The next speaker inscribed is the representative of Jordan. I invite him to take a place at the Council table and to make his statement.

Mr. NUSSEIN (Jordan): It is becoming increasingly disconcerting to speak about the question of Palestine and the inalienable rights of the Palestinian people, because it is like adding salt to a deep and open wound. It really hurts to be talking about a crystal-clear and incontestable cause for decades on end, only to find oneself revolving around oneself in a dizzying vicious circle, a state of chronic immobility and a grinding of water.

We have reached the point where even attempts to explain the cause become a defamation of the sanctity of the cause for which we have been trying to plead - alas, in vain. The debate has deteriorated into a dialogue of the deaf, where words, even if heard, concepts, ideas and ideals, morality, legality, resolutions, the Charter, modalities, international law and even elemental human decency have lost all credibility or relevance to the brutal realities of a numbed world.

It is all so very reminiscent of a history tale which I learned at school as a child. The story narrates that the Caliph Omar, who was a great man and very modest, tender and sensitive at heart, was in the habit of making occasional visitations at night, incognito, to see how his fellow citizens were faring. He came upon a modest hut, in which he found a woman, with her children huddled around her, engaged in stirring a cooking pot on a wood fire. With the hunger-stricken children waiting anxiously to eat before going to sleep, the Caliph Omar looked at the boiling pot and, to his consternation, found that the pot contained nothing more than water and gravel. He asked the mother why she was engaged in that non-rewarding exercise and she replied: "I have no means with which to buy any food and the only way to keep the children in expectation of satisfying their hunger is to do what I am doing until they drift to sleep."

The Caliph Omar, with tears running down his face rushed to his house, carried a bag of flour on his back and gave it to the mother to bake bread for her anxious and hungry children.

(Mr. Museibeh, Jordan)

And so it is with the fate of the Palestinian people, except that they do not have the equivalent of a Caliph Omar, with the compassion, motivation and will to deliver the bread. My fellow citizens are not unmindful of this banal fact, for they have been seasoned by their long ordeal and transformed into a highly articulate political breed and they are totally immune to self-delusion regarding where and how their deliverance will eventually come about. For as a people whose roots are eternally embedded in the soil of their forefathers they cannot forsake it nor will they ever countenance any force impelling them to forfeit it.

Regrettably, the oppressive constraints under which the United Nations system has been compelled to operate have so drastically undermined its will and efficacy that it has been reduced - at least on the question of Palestine - virtually to a lame duck.

Why then, it may be legitimately asked, has the Committee on the Exercise of the Inalienable Rights of the Palestinian People requested the Security Council to take up the question of Palestine and, in particular, to take appropriate action to facilitate the exercise by the Palestinians of their right to return to their homes, lands and property?

Why is it that the Committee, likewise, is urging the Security Council to promote action to achieve a just solution, taking into account all the powers conferred on it by the Charter of the United Nations?

The reason is obvious. For unlike Israel in its contemptuous and lawless attitude towards the United Nations, the Committee, with the support and full mandate of the General Assembly, represents the will and conscience of the overwhelming majority of mankind.

It has no words of blame to address to the esteemed Security Council and other United Nations organs, simply because a lawless Member, with the patronage and massive support of a major Power, disdains the will, the resolutions and the judicious judgement of mankind. There are recalcitrant and deviant members in national societies as there are in the community of nations. In the former, law enforcement agencies see to it that they are duly and firmly dealt with. Unfortunately, this is not the case in the community of nations, even though the authors of our Charter had specifically assigned this role of law

(Mr. Fusaibeh, Jordan)

enforcement to the Security Council, fervently hoping and expecting that it could and would assume this role. Unfortunately, so far this has not been the case.

When the General Assembly was seized of the question of Palestine in 1947 at the behest of the Mandatory Power, it acted expeditiously and without delay to form a committee which became known as the United Nations Special Committee on Palestine (UNSCOP) to work out a solution of the question of Palestine. Its recommendations were adopted by the General Assembly, in resolution 181 (II), for the establishment of a Palestinian Arab State and a Jewish State in Palestine with an economic union and a special international régime for Jerusalem as a corpus separatum under part III of the plan. The Security Council was entrusted with the implementation of this resolution, no matter what the impediments, but unfortunately failed to achieve its implementation.

In the meantime, Jewish forces occupied four fifths of Palestine, mostly before the Mandate came to an end, in flagrant violation of United Nations resolutions. After 1967, the Israelis occupied the whole country and beyond.

The Palestine Conciliation Commission, meeting at Lausanne in May 1949, obtained the approval of the Arab States and Israel on implementing the United Nations resolutions in toto, including the return of the Palestinians to their homes and homeland, in a Protocol signed by both sides. But the Israelis subsequently reneged and refused to ratify the Protocol, which would have settled, once and for all, the entire question of Palestine three decades ago and would have spared the Middle East, the United Nations and the world at large, the scourges of war, endless conflict and suffering.

(Mr. Museibeh, Jordan)

Though belatedly, the Committee on the Exercise of the Inalienable Rights of the Palestinian People has been set up and has become the equivalent of the original UNSCOP, but with much more substantial support from the General Assembly. It has judiciously, objectively and pragmatically sought ways and means to implement all the United Nations resolutions on the question, taking into consideration the practical changes which have taken place in the long interim of three decades. There is not a suggestion in the Committee's reports which is not directly and almost verbatim derived from United Nations resolutions. Indeed it is a part of its mandate to promote the implementation of its recommendations in accordance with paragraph 7 of General Assembly resolution 32/40 A, including contacts with the Security Council and consideration of possible action. The Committee's pragmatism has gone to the extent of its bending the rules by dividing the scheduling of implementation into phases, thereby discarding many of the strictures of the United Nations resolutions themselves.

Thus, priority is accorded in phase one to the return to their homes of the Palestinians displaced as a result of the war of June 1967, in accordance with Security Council resolution 237 (1967) which provided for immediate implementation and that such implementation should not be related to any other condition. Twelve years have already elapsed and no action has been taken to carry it out.

Phase two stipulates that the United Nations, in co-operation with the States directly involved and with the Palestine Liberation Organization, as the interim representative of the Palestinian entity, should make the arrangements necessary to enable Palestinians displaced between 1948 and 1967 to exercise their right to return to their homes and property, or should provide compensation for those not choosing to return, in accordance with General Assembly resolution 194 (III), which the General Assembly has been reaffirming each year in resolutions of which the United States is an author or a sponsor.

And finally the Committee spells out the provisions concerning the right to self-determination and national independence subsequent to the evacuation of the territories occupied by force in violation of the principles of the Charter and relevant resolutions of the United Nations.

(Mr. Huseibeh, Jordan)

It is therefore puzzling, to say the least, to find a few highly articulate and respected States refusing either to co-operate with or even to recognize the Committee. I can very well understand Israeli Ambassador Elum calling the Committee "notorious", for the cause which he represents is blatantly and notoriously outside the mainstream of an orderly international system based on international law, equity, the Charter and United Nations resolutions. If those States found it acceptable to proceed expeditiously with the dismemberment of a country and the consequent dispersal of its people in 1947-1948, is there no guilty conscience present to motivate them to rectify, though partially and belatedly, that massive wrong?

I would go further and suggest that, even if the General Assembly had not established the Committee in November 1975, then a consensus ought to have emerged in the meantime to establish one, if those States are truly in earnest about achieving a comprehensive, just and lasting peace. Or have sacred United Nations resolutions become a taboo and a burden, something which would best be eradicated from the consciousness of Member States which take the United Nations seriously and deferentially?

This debate today and the earlier debate a week ago on Israel's massive colonization of Palestinian and other occupied Arab lands, including Jerusalem, should be a solemn warning that Israel is bent on a policy of aggression and aggrandizement, and is therefore doing everything it can to abort a peaceful settlement of the Middle East conflict. This is literally a recipe for world-wide disaster, for the stakes are high, very high indeed, whether in the short or long term.

But as the Christian Science Monitor, in an editorial entitled "Israel and United States aid" on 25 July 1979, on the subject of the unprovoked, indiscriminate and brutal air attacks on Lebanon, succinctly stated:

"The United States was right to protest in the strongest terms.

But we wonder how long the Carter administration will simply go on deploring and imploring. Unless the United States is prepared to take tougher action, words alone are not likely to affect the situation". (Christian Science Monitor, 25 July 1979, p. 24)

If this were to be done, the Security Council would at long last find itself in a position where it could shoulder the solemn obligations devolving upon it

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(ifr. Nuseibeh, Jordan)

in the areas of international peace, security and stability, not to mention the dictates of elemental justice. There is a very dangerous vacuum prevailing right now.

The Committee reports are action-oriented and meticulously worked out. The Security Council, in its wisdom, can enter into a dialogue with the Committee on the various modalities contained in its recommendations as a prelude to further positive action such as the resumption of the Geneva Conference, in which all parties should participate, including of course the PLO, and at which all issues and dimensions of the problem should be discussed.

But the worst thing that can happen is that the very grave situation may be complacently permitted to drift aimlessly, with inaction as a result.

May the Security Council rise to the challenge of the occasion and not be daunted by illegal intimidation or undue pressure. Then and only then will the powder-keg of the Middle East be defused and the plight of the Palestinian people come to an end. A new dawn of peace, prosperity and justice will then be ushered in and the whole world will be ever grateful to the Security Council for being the harbinger of a new and happier era for which all have waited for so long.

The PRESIDENT: The next speaker is the representative of the German Democratic Republic, whom I invite to take a seat at the council table and to make a statement.

Mr. ZACHMANN (German Democratic Republic): Mr. President, I should first like cordially to congratulate you on the manner in which you have performed your duties as President of the Security Council during the month of July, something which has earned our high appreciation.

The question of the exercise by the Palestinian people of its inalienable rights, which once again appears on the agenda of the Security Council, is rather complex and of extreme political importance. My delegation wishes to thank the President and other members of the Security Council for giving us this opportunity to outline the position of the German Democratic Republic before the Council.

The German Democratic Republic, like many other States, has always championed the establishment of a just and lasting peace in the Middle East and the bringing about of a comprehensive political settlement of the Middle East problem.

As a member of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the German Democratic Republic has devoted all its efforts to ensuring that this body fully carries out the mandate conferred upon it, with a view to enforcing the legitimate rights of the Palestinian people and to seeking a just and durable peace settlement in the Middle East.

Over recent months, events in the Middle East have taken a dramatic turn. The attempt to reach lop-sided solutions has led to an aggravation of the situation and made it more complex. It has therefore been the Security Council's task during this month of July to devote itself exclusively to the dangerous situation in the Middle East. My delegation would like to point out once again that a peace settlement that ignores the legitimate and vital interests of any one State or people in the Middle East cannot last for long. The Arab people of Palestine who have been driven out of their homeland are especially afflicted in this regard. Since 1948, they have known scarcely a single day of real peace.

(Mr. Zachmann, German
Democratic Republic)

Once again, the message is clear: those who neglect the central issue of the Middle East conflict, which is the implementation of the legitimate rights of the Arab people of Palestine, are encouraging the aggressor. This is evidenced both by the recent military attacks against Lebanon and by Israel's escalation of its colonization policy aimed at the annexation of Arab territories. The debate in the Security Council on the report of the Commission that was established pursuant to resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied by Israel furnished very clear evidence in this respect.

Although in the relevant resolutions adopted by the United Nations great significance is attached to the implementation of the inalienable rights of the Palestinian people with a view to achieving a just solution to the Middle East conflict, this crucial question was completely left out of consideration in the separate agreements. Instead, there is mention of the so-called autonomy of the inhabitants of the occupied areas of the West Bank and in Gaza.

This "autonomy" formula contains no indication concerning the implementation of the inalienable rights of the Arab people of Palestine, including their right to have a State of their own. And that is not all. The only representative of the Palestinian people recognized by the United Nations, namely the Palestine Liberation Organization, has been left out since the very beginning.

I quote from a letter that the Permanent Representative of Israel addressed to the Secretary-General on May 9, 1979:

"The objective of the negotiations is the establishment of a self-governing authority (administrative council)...in order to provide full autonomy to the inhabitants." (A/34/231, P. 2)

Note that it is "to the inhabitants" and not to the areas.

I quote again from the letter, which says the following:

"Under no circumstances will Israel contemplate or permit the establishment of a 'Palestinian State'. Jerusalem is and will always remain one indivisible city - the eternal capital of our country..." (Ibid.)

(Dr. Zachmann, German
Democratic Republic)

Such a state of affairs illustrates that the concern felt by many States with regard to developments in the Middle East - a concern that is shared by the German Democratic Republic - is all too justified.

The present situation demands, first and foremost, that a clear-cut position be taken on the crucial problem, that is, the implementation of the inalienable rights of the Palestinian people. Attempts to circumvent this issue are highly unrealistic and are directed against the over-all interests of the people in the region. Those who speak of a comprehensive and durable peace settlement but who are, in reality, unwilling to provide the conditions decisive for such a settlement, are obviously pursuing their own interests, interests directed against the rights of the Arab people of Palestine.

The use of a formula of "autonomy" cannot but be regarded as being designed to provide a legal cloak for the endeavours of Israel and its backers permanently to upset any genuine peaceful settlement of the Middle East conflict.

In this respect, Israel enjoys the undiminished political, military and economic support of a number of States. It is high time those countries reconsidered their position and aligned their activities with the resolutions and decisions of the United Nations.

The position of the German Democratic Republic with regard to achieving a comprehensive political solution to the Middle East conflict and establishing a just and lasting peace in the region is very clear and definite. It advocates withdrawal of all Israeli forces from all Arab territories occupied since 1967; the implementation of the inalienable rights of the Palestinian people to self-determination, including the right to form a State of their own; and it calls for ensuring the independent existence and security of all States in the region.

I wish to reaffirm emphatically from this rostrum that the German Democratic Republic, guided by the socialist principles that govern its foreign policy, lends its solidarity and support to the Arab people of Palestine who, under the leadership of their only legitimate representative, the Palestine Liberation Organization, is waging a victorious struggle against imperialism, Zionism and reactionary forces.

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(Dr. Zochmann, German Democratic
Republic)

My delegation expects the Security Council to take decisions on that agenda item that will be conducive to the implementation of the legitimate rights of the Palestinian people and that will thereby contribute to a just and comprehensive peace settlement in the Middle East.

The PRESIDENT: I thank the representative of the German Democratic Republic for his kind words.

Mr. ADEYEMI (Nigeria): As this is the first time my delegation has spoken during the month of July, I should like to extend to you, Sir, our warm felicitations on your assumption of the office of President of the Security Council. Your versatile and wide experience is a guarantee that our deliberations under your guidance will be brought to a successful conclusion.

At the same time, we should like to place on record our deep appreciation for the manner in which the business of the Council was piloted under your equally able predecessor, Ambassador Troyanovsky of the Soviet Union.

My delegation has taken note of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. That report is contained in Security Council document S/13164, dated 20 March 1979. Consistent with our upholding of the principles of freedom, equality and basic human dignity for all peoples of the world, we agreed to serve from its very inception on the Committee on the Exercise of the Inalienable Rights of the Palestinian People. In serving on the Committee, we hope to make our own modest contributions to the international search for a lasting and just peace in the Middle East in general and, perhaps more important, to all United Nations efforts towards a durable solution of the Palestinian problem.

No one doubts the fact that the archives of the United Nations are replete with documents embracing various formulas, adopted at the level of this Council and that of the General Assembly, for arriving at a just solution of the problem of Palestine - a solution that has eluded the international community for more than three decades. It is not our intention to recall all these resolutions and decisions, but it would be pertinent, in the light of our current agenda, to recall some of the principles in order to avoid any ambiguities.

The question of Palestine remains at the core of the Middle East problem. The problem is destined to remain with us until the very day it is solved in accordance with one fundamental principle, and that is the principle that any solution is doomed to fail unless it takes into account the legitimate

(Mr. Akeemi, Nigeria)

aspirations of the Palestinian people, both inside the occupied territories and in the diaspora.

Secondly, we believe that the legitimate and inalienable rights of the Palestinian people to return to their homes and property and to achieve self-determination, national independence and sovereignty, within prescribed boundaries, must be guaranteed in full. The implementation of these rights will contribute decisively to a comprehensive and final settlement of the seemingly intractable Middle East crisis.

Thirdly, my delegation contends also that the participation of the Palestine Liberation Organization on an equal footing with other parties, on the basis of General Assembly resolutions 3237 (XXIX) and 3375 (XXV), is indispensable to all efforts, deliberations and conferences on the Middle East which are held under the auspices of the United Nations.

Fourthly, we recall the fundamental principle of the inadmissibility of the acquisition of territory by force. We believe that Israel must withdraw speedily and unconditionally from all territories occupied by it by naked force and aggression. Such an act, which this Council and the General Assembly have demanded numberless times in the past, will no doubt create the requisite climate for a durable peace in the area. The Israelis must realize that their security will for ever remain in jeopardy unless they abandon their current plan of imposing a humiliating peace on their Arab neighbours. Military arrogance cannot by itself guarantee security for Israel. Indeed, faithful compliance by Israel with the resolutions of this Council, and particularly those resolutions calling on Israel to allow dispossessed Palestinians to return in safety and dignity, would go a long way towards defusing the ongoing menace to peace and security in the region.

In that context my delegation views with great concern Israel's incomprehensible persistence in establishing new settlements in the occupied territories. We are confronted by a classic example of a betrayal of trust when the settlements are viewed against the background of the recent Egyptian-Israeli peace treaty. In fact, we dare say that perpetuation of the policies of occupation calls into question the much-vaunted pronouncements by Israeli leaders

(Mr. Adeyemi, Nigeria)

that they indeed want peaceful coexistence with their Arab neighbours. As a matter of fact, the establishment of new settlements has merely helped to justify Arab fears that unbridled expansionism is the cornerstone of Israeli strategy in the area, and reckless exploitation of the lands seized from helpless Palestinians remains the priority preoccupation of the Israeli Government. The pretension of holding on to these territories which the entire world, and even Israel's friends, have long since decided will never be incorporated in the Jewish State, is to us both puzzling and unreasonable. The present settlements, from the very day they were established, and those that may be contemplated for the future will remain, ipso facto, illegal until the Israelis evacuate them.

In this regard, we call on those Western nations with known political leverage vis-à-vis Israel to put aside their sectional interests and persuade their protégé to move on to the path of reason. As permanent members of this Council, they have a moral responsibility both to themselves and to this Council to do all in their power to defuse a potentially dangerous situation in the Middle East. They must do this to save mankind from a nightmare that has persisted for far too long.

The PRESIDENT: I thank the representative of Nigeria for his kind words.

The next meeting of the Security Council, to continue the consideration of this item, will take place on Monday, 30 July, at 10.30 a.m.

The meeting rose at 1 p.m.